



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Amendment to CalPERS Retirement Plans for All City Employees

**MEETING DATE:** April 5, 2000

**SUBMITTED BY:** Human Resources Director

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**RECOMMENDED ACTION:** 1) That the City Council adopt a resolution of intention to amend the City contract with CalPERS to adopt the following:

- 2% at 55 formula for Miscellaneous employees
- 3% at 50 formula for Fire Safety
- 3% at 50 formula for Police Safety
- One-Year Final Compensation for Police Safety

**BACKGROUND INFORMATION:**

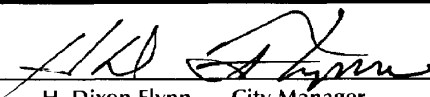
Per the direction of the City Council, staff had requested and received actuarial valuations explaining the impact of amending our CalPERS contract plan to include the enhancement of benefits for Miscellaneous, Fire, and Police units.

As you may recall, the timing for these changes is partially driven by the "window period" offered by CalPERS in which they will increase the actuarial value of assets from 90% of market value to 95%, thus reducing our plan's liability due to the change in benefits.

Equally if not more important is the impact on the City's employees as recognized by the City Council's goals stated in the 1999-2001 Budget and Financial Plan. The implementation of this benefit will enable us to attract, retain, and invest in a quality workforce to ensure an efficient and productive City Organization.

During the next several years it is expected that we will be recruiting key personnel to continue our journey into the 21<sup>st</sup> century. With the increased competition among agencies for a limited experience pool, it is imperative that we remain comparable and attract qualified applicants to our City.

APPROVED: \_\_\_\_\_

  
H. Dixon Flynn -- City Manager



# CITY OF LODI

## COUNCIL COMMUNICATION

**COST:****Miscellaneous Plan:**

- 1) Change in Present Value of Benefits \$5,180,277
- 2) Change in the Unfunded Accrued Liability \$ (256,984)
- 3) Change in Employer Rate \$0.000%

**Police Plan:**

- 1) Change in Present Value of Benefits \$5,283,707
- 2) Change in the Unfunded Accrued Liability \$2,661,314
- 3) Change in the Employer Rate \$11.484%

**Fire Plan:**

- 1) Change in Present Value of Benefits \$2,311,726
- 2) Change in the Unfunded Accrued Liability \$ 635,630
- 3) Change in the Employer Rate \$0.000%

Respectfully submitted,

Joanne M. Narloch, Human Resources Director

cc: City Attorney

APPROVED: \_\_\_\_\_

H. Dixon Flynn -- City Manager

ORDINANCE NO. 1690

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI  
AUTHORIZING AMENDMENT TO THE CONTRACT BETWEEN THE CITY  
COUNCIL OF THE CITY OF LODI AND THE BOARD OF ADMINISTRATION OF  
THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. That an amendment to the contract between the City Council of the City of Lodi and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

Section 2. The Mayor of the City of Lodi is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

Section 3. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 4. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Adopted and Approved this \_\_\_\_ day of \_\_\_\_, 2000.

\_\_\_\_\_  
STEPHEN J. MANN  
Mayor

Attest:

JACQUELINE L. TAYLOR  
Acting City Clerk

State of California  
County of San Joaquin, ss.

I, Jacqueline L. Taylor, Acting City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1690 was introduced at a regular meeting of the City Council of the City of Lodi held April 5, 2000 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held \_\_\_\_\_, 2000, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. 1690 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JACQUELINE L. TAYLOR  
Acting City Clerk

Approved as to Form:

RANDALL A. HAYS  
City Attorney



## EXHIBIT

California  
Public Employees' Retirement System

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# AMENDMENT TO CONTRACT

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Lodi

---

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective June 1, 1966, and witnessed April 27, 1966, and as amended effective July 6, 1966, May 1, 1970, July 1, 1973, July 1, 1977, April 1, 1991, July 7, 1993, June 30, 1996 and November 15, 1998 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 14 are hereby stricken from said contract as executed effective November 15, 1998, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 50 for local safety members.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after June 1, 1966 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

- c. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for local miscellaneous members.
  - d. Section 21573 (Third Level of 1959 Survivor Benefits).
  - e. Section 21427 (Improved Non-Industrial Disability Allowance) for local miscellaneous members only.
  - f. Section 20042 (One-Year Final Compensation) for local safety members only.
  - g. Section 20903 (Two Years Additional Service Credit) for local miscellaneous members and local safety members only.
  - h. Section 20434 ("Local Fire Fighter" shall include any officer or employee of a fire department employed to perform firefighting, fire prevention, fire training, hazardous materials, emergency medical services, or fire or arson investigation services as described in Government Code Section 20434).
  - i. Section 20965 (Credit for Unused Sick Leave).
  - j. Section 20938 (Limit Prior Service to Members Employed on Contract Date) for elected officials employed on November 15, 1998.
10. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on July 1, 1977. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
11. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
12. Public Agency shall also contribute to said Retirement System as follows:
- a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21573 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
  - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

- c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
13. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
14. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF LODI

BY \_\_\_\_\_  
KENNETH W. MARZION, CHIEF  
ACTUARIAL & EMPLOYER SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY \_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Witness Date

Attest:

\_\_\_\_\_  
Clerk

PLEASE DO NOT SIGN "EXHIBIT ONLY"

3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
  - a. Local Fire Fighters (herein referred to as local safety members);
  - b. Local Police Officers (herein referred to as local safety members);
  - c. Employees other than local safety members (herein referred to as local miscellaneous members).
4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
  - a. **PERSONS COMPENSATED ON AN HOURLY BASIS WHO ARE HIRED JUNE 1, 1966 OR THEREAFTER.**
5. Assets heretofore accumulated with respect to members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.
6. Benefits paid to pensioners and annuitants under the local system on the effective date of the contract were recalculated, as authorized by Section 20481 of the Government Code, to conform with benefits applicable to persons retiring after the effective date of the contract except that no benefit which would have been payable under the continuation of the local system shall be reduced.
7. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service prior to June 30, 1977, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).
8. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).
9. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 21536 (Local System Service Credit Included in Basic Death Benefit).
  - b. Section 21222.1 (Special 5% Increase-1970). Legislation repealed said Section effective January 1, 1980.



RESOLUTION NO. 2000-55

A RESOLUTION OF INTENTION OF THE LODI CITY COUNCIL  
TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN  
THE BOARD OF ADMINISTRATION OF THE CALIFORNIA  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY  
COUNCIL OF THE CITY OF LODI

=====

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide Government Code Section 20042 (One-Year Final Compensation) for local police members only; and Government Code Section 21354 (2% @ 55 Full and Modified formula) for local miscellaneous members.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

Dated: April 5, 2000

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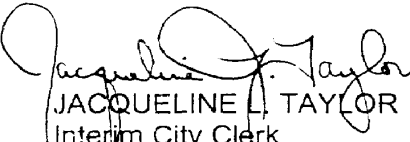
I hereby certify that Resolution No. 2000-55 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 5, 2000, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Land, Nakanishi, Pennino and Mann (Mayor)

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
JACQUELINE L. TAYLOR  
Interim City Clerk



## EXHIBIT

California  
Public Employees' Retirement System

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# AMENDMENT TO CONTRACT

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Lodi

---

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective June 1, 1966, and witnessed April 27, 1966, and as amended effective July 6, 1966, May 1, 1970, July 1, 1973, July 1, 1977, April 1, 1991, July 7, 1993, June 30, 1996 and November 15, 1998 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 14 are hereby stricken from said contract as executed effective November 15, 1998, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 50 for local safety members.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after June 1, 1966 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
  - a. Local Fire Fighters (herein referred to as local safety members);
  - b. Local Police Officers (herein referred to as local safety members);
  - c. Employees other than local safety members (herein referred to as local miscellaneous members).
4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
  - a. **PERSONS COMPENSATED ON AN HOURLY BASIS WHO ARE HIRED JUNE 1, 1966 OR THEREAFTER.**
5. Assets heretofore accumulated with respect to members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.
6. Benefits paid to pensioners and annuitants under the local system on the effective date of the contract were recalculated, as authorized by Section 20481 of the Government Code, to conform with benefits applicable to persons retiring after the effective date of the contract except that no benefit which would have been payable under the continuation of the local system shall be reduced.
7. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service prior to June 30, 1977, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).
8. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).
9. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 21536 (Local System Service Credit Included in Basic Death Benefit).
  - b. Section 21222.1 (Special 5% Increase-1970). Legislation repealed said Section effective January 1, 1980.

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  - e. Section 21427 (Improved Non-Industrial Disability Allowance) for local miscellaneous members only.
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  - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

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B. This amendment shall be effective on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF LODI

BY \_\_\_\_\_  
KENNETH W. MARZION, CHIEF  
ACTUARIAL & EMPLOYER SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY \_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Witness Date

Attest:

\_\_\_\_\_  
Clerk

RESOLUTION NO. 2000-56

A RESOLUTION OF INTENTION OF THE LODI CITY COUNCIL  
TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN  
THE BOARD OF ADMINISTRATION OF THE CALIFORNIA  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY  
COUNCIL OF THE CITY OF LODI

=====

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide Government Code Section 21362.2 (3% @ 50  
Full Formula) for local safety members.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

Dated: April 5, 2000

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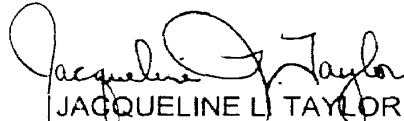
I hereby certify that Resolution No. 2000-56 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 5, 2000, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Land, Nakanishi and Mann  
(Mayor)

NOES: COUNCIL MEMBERS – Pennino

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
JACQUELINE L. TAYLOR  
Interim City Clerk



## EXHIBIT

California  
Public Employees' Retirement System

# AMENDMENT TO CONTRACT

Between the  
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California Public Employees' Retirement System  
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City Council  
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PLEASE DO NOT SIGN "EXHIBIT ONLY"

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PLEASE DO NOT SIGN "EXHIBIT ONLY"

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B. This amendment shall be effective on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF LODI

BY \_\_\_\_\_  
KENNETH W. MARZION, CHIEF  
ACTUARIAL & EMPLOYER SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY \_\_\_\_\_  
PRESIDING OFFICER

Witness Date

Attest:

Clerk